



8-14-06

Attorney's Docket No.: 17084-004017 / 402P

JP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gyula Hadlaczky
Serial No. : 10/808,689
Filed : March 24, 2004

Art Unit : 1638
Examiner : Brent T. Page
Cust. No. : 20985
Conf. No. : 6587

Title : ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR
PREPARING ARTIFICIAL CHROMOSOMES

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, copy of European Examination Report, cited non U.S. patent documents, and a Statement pursuant to 37 C.F.R. §1.97(e) for filing in connection with the above-captioned application. Since this Supplemental Information Disclosure Statement is filed with a Statement pursuant to 37 C.F.R. §1.97(e), a fee for filing the Supplemental Information Disclosure Statement should not be required. If, however, it is determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17084-004017/402P
Address all correspondence to:
Stephanie Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-4777
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CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label Number EV 740119682 US
Date of Deposit August 10, 2006
I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

This Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. §1.97(c) and includes a statement in accordance with 37 C.F.R. §1.97(e). The statement applies to the copy of a European Examination Report, and the documents listed on the Form PTO-1449 (1 page), provided herewith. A fee for filing this Supplemental Information Disclosure Statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

As noted in the attached statement, the information was cited in a communication from a foreign patent office in a counterpart foreign application, which was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of the attached Supplemental Information Disclosure Statement.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. PTO-1449 (1 page) and copies of the cited non U.S. patent documents are provided herewith in connection with the above-captioned application.

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Stephanie Soldman

The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Provided herewith is a copy of a European Examination Report, issued July 12, 2006, in connection with corresponding European Patent Application No. 97920284.3 (Attorney Docket No. 17084-004EP1/402EP), which is a national stage filing of International Patent Application No. PCT/US97/05911, which claims priority to U.S. Patent Application Serial No. 08/629,822. The instant application is a divisional of U.S. Patent Application Serial No. 09/724,693, which is a continuation of U.S. Patent Application Serial No. 08/835,682 and ultimately claims priority to U.S. Patent Application Serial No. 08/629,822. Hence this application and European Patent Application No. 97920284.3 claim priority ultimately to the same parent application. In the European Examination Report, Examiner cites three documents: D4 (WO9532297), D18 (Brown *et al.*, "Dissecting the centromere of the human Y chromosome with cloned telomeric DNA" *Human Molecular Genetics* 3(8):1227-1237 (1994)) and D19 (Nakahori *et al.*, "A human Y-chromosome specific repeated DNA family (DYZ1) consists of a tandem array of pentanucleotides", *Nuc. Acids Res.* 14(19):7569-7580 (1986)). D4 has already been made of record in the instant application in an Information Disclosure Statement, supplied with Forms PTO-1449, filed July 16, 2004. D18 and D19 are being made of record in this Supplemental Information Disclosure Statement, supplied with Forms PTO-1449 and copies of the cited documents.

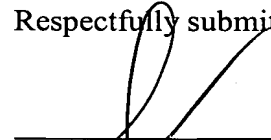
Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97 (g) and (h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56 (b) exists.

Applicant respectfully requests that the Examiner review the foregoing documents and they be made of record in the file history of the above-captioned application.

Applicant : Gyula Hadlaczky
Serial No. : 10/808,689
Filed : March 24, 2004

Attorney's Docket No.: 17084-004017 / 402P
Supplemental Information Disclosure Statement

Respectfully submitted,



Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17084-004017/402P

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SLS/jmt



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**STATEMENT FOR SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT IN ACCORDANCE WITH 37 C.F.R. § 1.97(e)**

Dear Sir:

1. This statement is being made for the Supplemental Information Disclosure Statement accompanying this certification.

2. I, Stephanie Seidman, certify that all items of information contained in the accompanying Supplemental Information Disclosure Statement were first cited in a communication from the European Patent Office, dated July 12, 2006, in connection with European Patent Application No. 97920284.3, which claims priority to International Patent Application No. PCT/US97/05911, and to U.S. Patent Application Serial No. 08/629,822, to which the above-captioned application likewise claims the benefit of priority. The items of information were first cited in a communication from a foreign patent office in a corresponding foreign application which was not received by any individual designated in C.F.R. §1.56(c) more than thirty days prior to the filing of the attached Supplemental Information Disclosure Statement.

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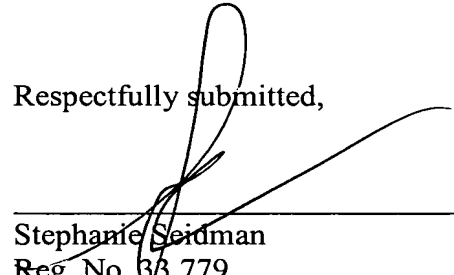
Stephanie Seidman

Applicant : Gyula Hadlaczky
Serial No. : 10/808,689
Filed : March 24, 2004

Attorney's Docket No.: 17084-004017 / 402P
Statement in accordance with 37 C.F.R. § 1.97(e)

3. The person making this statement is an attorney of record in the above-captioned application and signs below on the basis of information in the attorney's file.

Respectfully submitted,



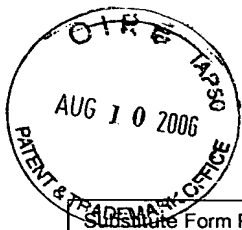
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Sheet 1 of 1

Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 17084-004017/402P		Application No. 10/808,689	
List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))				Applicant Gyula Hadlaczky			
				Filing Date March 24, 2004		Group Art Unit 1638	
U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
		none					

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
		none						

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	AA	Brown et al., "Dissecting the centromere of the human Y chromosome with cloned telomeric DNA" Human Molecular Genetics 3(8):1227-1237 (1994)
	AB	Nakahori et al., "A human Y-chromosome specific repeated DNA family (DYZ1) consists of a tandem array of pentanucleotides", Nuc. Acids Res. 14(19):7569-7580 (1986)

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	